

**Michael Charles Benson**  
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**Attorney for Defendant**

**IN THE UNITED STATES DISTRICT COURT**  
**FOR THE DISTRICT OF OREGON**

**UNITED STATES OF AMERICA,**

**Case No. 3:23-cr-00020-IM**

**Plaintiff,**

**v.**

**MOTION TO WITHDRAW AS  
COUNSEL**

**MICHAEL EDGAR BIVINS,**

**Hearing Not Requested**

**Defendant.**

Pursuant to 18 U.S.C. § 3006A(c) and the Sixth Amendment to the Constitution, the defendant, Michael Edgar Bivins, by and through his attorney, Michael Charles Benson, Assistant Federal Public Defender, hereby moves this Court to enter an Order relieving Mr. Benson and the Federal Public Defender as counsel of record and appointing new counsel in this case. This motion is made pursuant to Oregon RPC 1.16(a)(1) as discussed in the declaration of counsel that is filed, *ex parte* and under seal, contemporaneously herewith.

Mr. Bivins qualifies for court appointed counsel. Mr. Bivins has been incarcerated since May 17, 2022 in a closely related state court matter. He has had court appointed counsel assigned

in this matter in in the state proceeding. Criminal Justice Act panel counsel Noel Grefenson has agreed to undertake the representation. A proposed Order of Appointment for Noel Grefenson is submitted herewith.

Respectfully submitted this 17th day of November, 2023.

/s/ Michael Charles Benson  
Michael Charles Benson  
Attorney for Defendant